

To: Washington Department of Ecology  
15 W Yakima Ave Ste 200  
Yakima, WA 98902


From: <sup>Drew</sup> Mitchell Perry  
10091 Hwy 10  
Ellensburg, WA 98926

**RE: Mitigation Plan for Water Right Change Application CS4-00328CTCL@1.**

I am submitting the "Manastash Creek Restoration Project In-Stream Flow Enhancement Implementation Plan" to the Washington Department of Ecology as an amendment to my water right change application. The mitigation is for the upstream move of the point of diversion for Yakima Adjudication Court Claim #0328 and any adverse environmental impacts that may be identified under the State Environmental Policy Act.

By submitting the Manastash Creek Restoration Project Instream Flow Enhancement Implementation Plan as my voluntary mitigation, I understand that my application or applications for POD change for the consolidation of Anderson, Reed Ditch, and Hatfield Ditch, upstream to the MWDA diversion, will commit not to divert water from the consolidated diversion until 6 cfs (before pro-rationing) of adjudicated water rights for instream flow purposes has been obtained and put into trust in perpetuity, in addition to any water saved by the consolidation of Reed, Anderson and Hatfield to the MWDA site.

Sincerely,

X   
Drew Perry  
~~Mitchell Perry~~





STATE OF WASHINGTON  
**APPLICATION FOR CHANGE/TRANSFER  
OF WATER RIGHT**

For filing with Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF  
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☐ Change purpose(s) of use  
☐ Add purpose(s) of use  
☒ Change point(s) of diversion/withdrawal  
☐ Add point(s) of diversion/withdrawal  
☐ Change/transfer place of use  
☐ Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

**FOR OFFICE USE ONLY**

CHANGE No. CS4-00328CTCL@1 WRIA 39

DATE ACCEPTED 09/26/06 BY [Signature]

FEE \$ 1470.00 REC'D 09/18/2006

CHECK No. 8942

SEPA: ☐ Exempt ☐ Not exempt

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

**1. Applicant Information:**

APPLICANT/BUSINESS NAME Carroll Richards	PHONE NO. (509) 925-2129	FAX NO. ( )
ADDRESS 5461 Hanson Rd		
CITY Ellensburg	STATE WA	ZIP CODE 98926

CONTACT NAME (IF DIFFERENT FROM ABOVE) <u>Drew Perry</u>	PHONE NO. (509) 306-1523	FAX NO. ( )
ADDRESS <u>10091 Hwy 10</u>		
CITY <u>Ellensburg</u>	STATE <u>WA</u>	ZIP CODE <u>98926</u>

**2. Water Right Information:**

WATER RIGHT OR CLAIM NUMBER 0328 (Priority Date 06-30-1883; 60ac)	RECORDED NAME(S) Carroll Richards & Beverly Richards; Gary Starkovich & Linda Starkovich; Douglas Strecker & Terry Strecker; Shane Jump & Patty Jump; Curt Samuelson & Cindi Samuelson; Robert Dobbins & Linda Dobbins; Wayne Erickson & Patricia Erickson; Marsha Park
DO YOU OWN THE RIGHT TO BE CHANGED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS: 17-17-01000-0016 (495033) C Richards 5461 Hanson Rd, Ellensburg, WA 98926 17-17-01000-0025 (13109) Frank Taylor 353 Fulton St, Seattle, WA 98109 (former Samuelson) 17-17-01000-0026 (13110) David Stroud 4541 Cove Rd, Ellensburg (former Jump) 17-17-01000-0027 (13111) Gary Starkovich 4701 Cove Rd, Ellensburg 17-17-01000-0028 (13112) Chris. Dunlop 4781 Cove Rd, Ellensburg (former Strecker) 17-17-01000-0029 (13113) James Wickerath 909 E 4 <sup>th</sup> Ave, Ellensburg (former Park) 17-17-01000-0022 (820836) <u>Mitchell Perry Drew Perry</u> 10091 Hwy 10, Ellensburg (former Richards) 17-17-01000-0030 (13115) Erickson (likely out of POU) PO Box 763, Ellensburg 17-17-01000-0031 (13114) Dobbins (likely out of POU) 4401 Cove Rd, Ellensburg	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application. See attached Yakima River Basin Water Rights Adjudication, Subbasin No. 11 (Manastash) info.

**FOR OFFICE USE ONLY**

APP. NO. \_\_\_\_\_ PERMIT NO. \_\_\_\_\_ CERT. NO. \_\_\_\_\_ CERT. OF CHANGE NO. \_\_\_\_\_

Cover Claim 00328 Sub 4 Manastash  
ECY 040-1-97 (11/04) updated to 7/05

- 1 -

CS4-00328CTCL@1

Application for Change

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### 3. Point(s) of Diversion/Withdrawal:

#### A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek Hatfield		SW	SE	11	17	17	17-17-11040-0017 (10685)	

#### B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek MWDA		NW	NE	14	17	17	17-17-14010-0011 (215133)	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO      PROPOSED: ☐ YES ☒ NO - IF NO, PROVIDE OWNER(S) NAME:

Existing: Mitchell Williams; Proposed: Scot Reeves, with easement to the Manastash Water Ditch Association.

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

### 4. Purpose of Use:

#### A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	1.4 cfs		April 1 - June 30
Irrigation	104 cfs		July 1 - Oct 31
Irrigation		428.4 AF	Annually

#### B. Proposed SAME

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

### 5. Place of Use:

#### A. Existing

##### LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

That portion of the E 1/2 SE 1/4 of Section 1, T17N, R17EWM described as follows: Beginning at the southeast corner of said Section; thence west 1050 feet; thence north 450 feet; thence N 23° E 500 feet more or less; thence north 900 feet more or less; thence N 80° W 950 feet more or less; thence east to the east quarter corner of Section 1; thence south to the point of beginning.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
E 1/2	SE	1	17	17	Kittitas	Several, see below	60

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☒ NO - IF NO, PROVIDE OWNER(S) NAME:

17-17-01000-0016 (495033) C Richards  
17-17-01000-0025 (13109) Frank Taylor (Samuelson)  
17-17-01000-0026 (13110) David Stroud (Jump)  
17-17-01000-0027 (13111) Gary Starkovich  
17-17-01000-0028 (13112) Chris. Dunlop (Strecker)  
17-17-01000-0029 (13113) James Wickerath (Park)  
17-17-01000-0022 (820836) ~~Mitchell~~ Perry (Richards)  
17-17-01000-0030 (13115) Erickson (likely out of POU)  
17-17-01000-0031 (13114) Dobbins (likely out of POU)

#### B. Proposed SAME

##### LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☐ YES ☐ NO - IF NO, PROVIDE OWNER(S) NAME:



Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?  
☐ YES ☒ NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

#### 6. Remarks and Other Relevant Information:

Hatfield POD: 150 feet north and 1200 feet east from the south quarter corner of Section 11, being with the SW 1/4 SE 1/4 of Section 11, T17N, R17EWM.

MWDA POD: 500 feet south and 150 feet east of the north quarter corner of section 14, being with in the NW 1/4 NE 1/4 of Section 14, T17N, R17E WM.

#### Parcel Numbers:

17-17-01000-0016 (495033) C Richards  
 17-17-01000-0025 (13109) Frank Taylor (Samuelson)  
 17-17-01000-0026 (13110) David Stroud (Jump)  
 17-17-01000-0027 (13111) Gary Starkovich  
 17-17-01000-0028 (13112) Chris. Dunlop (Strecker)  
 17-17-01000-0029 (13113) James Wickerath (Park)  
 17-17-01000-0022 (820836) ~~Michael Perry~~ (Richards)  
 17-17-01000-0030 (13115) Erickson (likely out of POU) PO Box 763, Ellensburg  
 17-17-01000-0031 (13114) Dobbins (likely out of POU) 4401 Cove Rd, Ellensburg

IF FOR SEASONAL OR TEMPORARY, START DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ END DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

#### 7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Carol Richards  
 (Applicant)

Mar. 24 2006  
 (Date)

Don Perry  
 (Water Right Holder)

4/16/10  
 (Date)

Don Perry  
 (Land Owner(s) of Existing Place of Use)

4/16/10  
 (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

#### WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE  
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION \_\_\_\_\_ IS INCOMPLETE  
☐ OTHER/EXPLANATION: \_\_\_\_\_

STAFF: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_



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**7. Signatures:**

*I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.*

_____ (Applicant)	_____ (Date)
X <u>Debra Perry</u> (Water Right Holder)	<u>4/16/10</u> (Date)
X <u>Debra Perry</u> (Land Owner(s) of Existing Place of Use)	<u>4/16/10</u> (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- |   |   |
|---|---|
| <input type="checkbox"/> APPLICATION FEE NOT ENCLOSED   | <input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE |
| <input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED | <input type="checkbox"/> SECTION _____ IS INCOMPLETE    |
| <input type="checkbox"/> OTHER/EXPLANATION: _____       |   |

STAFF: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

# ATTACHMENT FOR APPLICATION FOR CHANGE

## Point(s) of Diversion/Withdrawal - ☒ Existing ☒ Proposed:

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Manastash Creek Hatfield - Existing		SW	SE	11	17	17	17-17-11040-0017 (10685)	
Manastash Creek MWDA - Proposed		NW	NE	14	17	17	17-17-14010-0011 (215133)	

DO YOU OWN THE ABOVE POINT(S) OF DIVERSION/WITHDRAWAL? ☐ YES ☒ NO - IF NO, PROVIDE OWNER(S) NAME:

Existing: Mitchell Williams, Proposed: Reeves, with easement to the Manastash Water Ditch Association.

## Purpose(s) of Use - ☒ Existing ☒ Proposed: SAME

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	1.4 cfs		April 1 - June 30
Irrigation <i>9.70</i>	<i>104</i> cfs		July 1 - Oct 31
Irrigation		428.4 AF	Annually

## Place of Use - ☒ Existing ☒ Proposed: SAME

### LEGAL DESCRIPTION OF LANDS

That portion of the E½ SE¼ of Section 1, T17N, R17EWM described as follows: Beginning at the southeast corner of said Section; thence west 1050 feet; thence north 450 feet; thence N 23o E 500 feet more or less; thence north 900 feet more or less; thence N 80o W 950 feet more or less; thence east to the east quarter corner of Section 1; thence south to the point of beginning.

¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
E 1/2	SE	1	17	17	Kittitas	Several, see below	60

DO YOU OWN ALL THE LANDS IN ABOVE PLACE OF USE? ☐ YES ☒ NO - IF NO, PROVIDE OWNER(S) NAME:

17-17-01000-0016 (495033) C Richards  
 17-17-01000-0025 (13109) Frank Taylor (formerly Samuelson)  
 17-17-01000-0026 (13110) David Stroud (Jump)  
 17-17-01000-0027 (13111) Gary Starkovich  
 17-17-01000-0028 (13112) Chris. Dunlop (Strecker)  
 17-17-01000-0029 (13113) James Wickerath (Park)  
 17-17-01000-0022 (820836) ~~James~~ Perry (Richards)  
 17-17-01000-0030 (13115) Erickson (likely out of POU)  
 17-17-01000-0031 (13114) Dobbins (likely out of POU)